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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

	CIVIL NO.	
DANIEL WARD,)	
Plaintiff)	
)	COMPLAINT
v.)	
)	
EASY MUSIC)	
INVESTMENTS, INC.)	
and)	
EASY MUSIC)	
PROPERTIES, LLC)	
Defendants)	
_____)	

Plaintiff DANIEL WARD, through his undersigned counsel, avers
and alleges:

JURISDICTION AND VENUE

1. This court has original jurisdiction pursuant to 28 U.S.C. Section 1331 through the federal question raised herein, namely the alleged violation of the Americans With Disabilities Act of 1990 (hereinafter “ADA”), 42 U.S.C. Section 12101 et seq.
2. All events material hereto occurred within the District of Hawaii.

3. Plaintiff DANIEL WARD is a person with a disability, namely spinal cord-injured quadriplegia.

VIOLATION OF 42 U.S.C. § 12101 ET. SEQ.

4. According to 28 CFR part 36, the defendants are “public accommodations,” owning and/or in control of a building in which is operating a “place of public accommodation,” namely a retail store, located at 98-425 Kamehameha Hwy., Pearl City, City & County of Honolulu, Hawaii, and thereby falls under the ambit of the ADA, 42 U.S.C. Section 12101 et seq.

5. The State of Hawaii, Department of Commerce and Consumer Affairs, Business Registration Division identifies the defendants as a domestic profit corporation and a domestic limited liability corporation. Accordingly the defendants are amenable to suit by the plaintiff for violation of the ADA.

6. The defendants have violated the ADA by denying the plaintiff equal accommodations and have not complied with the ADA final rules, 28 CFR part 36, Subpart C, by failing to eliminate readily achievable barriers to equal accessibility, including but not limited to:

a) no accessible route and no accessible parking access aisle.

THEREFORE, PLAINTIFF RESPECTFULLY REQUESTS THE COURT: enter judgment for the plaintiff and against the defendants and order the following relief:

A) An injunction ordering the defendants’ full compliance with the ADA within one hundred eighty (180) days;

B) Payment of plaintiff’s litigation costs, including reasonable expert and attorney’s fees; and

D) Such other relief as the court deems proper.

DATED: Honolulu, Hawaii, September 17, 2018.

/s/ LUNSFORD DOLE PHILLIPS